

The Florida Senate
COMMITTEE MEETING EXPANDED AGENDA

JUDICIARY
Senator Flores, Chair
Senator Joyner, Vice Chair

MEETING DATE: Monday, March 28, 2011**TIME:** 3:15 —5:15 p.m.**PLACE:** *Toni Jennings Committee Room, 110 Senate Office Building***MEMBERS:** Senator Flores, Chair; Senator Joyner, Vice Chair; Senators Bogdanoff, Braynon, Richter, Simmons, and Thrasher

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
1	SJR 1538 Flores (Identical HJR 1179)	Abortion/Public Funding/Construction of Rights; Proposes amendments to the State Constitution to prohibit public funding of abortions and prohibit the State Constitution from being interpreted to create broader rights to an abortion than those contained in the United States Constitution. HR 03/14/2011 Favorable JU 03/22/2011 Not Considered JU 03/28/2011 Fav/CS BC RC	Fav/CS Yeas 4 Nays 2
2	SB 888 Dean (Similar CS/H 75)	Offense of Sexting; Provides that a minor commits the offense of sexting if he or she knowingly uses a computer, or any other device capable of electronic data transmission or distribution, to transmit or distribute to another minor any photograph or video of himself or herself which depicts nudity and is harmful to minors. Provides noncriminal and criminal penalties. Provides that the act does not prohibit prosecution of a minor for conduct relating to material that includes the depiction of sexual conduct or sexual excitement or for stalking, etc. CJ 03/14/2011 Fav/1 Amendment JU 03/28/2011 Fav/CS CU BC	Fav/CS Yeas 6 Nays 0
3	CS/SB 438 Criminal Justice / Hill (Identical CS/H 563)	Injunctions for Protection Against Violence; Subject to available funding, directs the Florida Association of Court Clerks and Comptrollers to develop an automated process by which a petitioner for an injunction for protection may request notification of service of the injunction or notice of other court actions related to the injunction. Requires that notice be given to the petitioner within a specified time. Provides for the content of the notice. CJ 03/14/2011 Fav/CS JU 03/28/2011 Favorable BC	Favorable Yeas 6 Nays 0

COMMITTEE MEETING EXPANDED AGENDA

Judiciary

Monday, March 28, 2011, 3:15 —5:15 p.m.

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
4	CS/SB 450 Military Affairs, Space, and Domestic Security / Bennett (Similar CS/H 215)	Emergency Management; Cites this act as the "Postdisaster Relief Assistance Act." Provides immunity from civil liability for providers of temporary housing and aid to emergency first responders and their immediate family members following a declared emergency. Provides definitions. Provides nonapplicability. Authorizes specified registration with a county emergency management agency as a provider of housing and aid for emergency first responders. MS 03/10/2011 Fav/CS JU 03/28/2011 Fav/CS RC	Fav/CS Yeas 6 Nays 0
5	SB 664 Benacquisto (Similar CS/H 513)	Missing Person Investigations/Silver Alert; Provides that certain specified persons are immune from civil liability for damages for complying with the request to release Silver Alert information to appropriate agencies. Authorizes only the law enforcement agency having jurisdiction over a case to submit a Silver Alert report to the Missing Endangered Persons Information Clearinghouse involving a missing adult who is suspected by a law enforcement agency of meeting the criteria for activation of the Silver Alert Plan, etc. CJ 03/09/2011 Fav/1 Amendment JU 03/28/2011 Fav/CS BC	Fav/CS Yeas 6 Nays 0
6	SB 104 Ring (Identical H 4035, S 1628, Compare H 1481, S 1060)	Misdemeanor Pretrial Substance Abuse Programs; Provides that a person who has previously been admitted to a pretrial program may qualify for a misdemeanor pretrial substance abuse program. CJ 03/09/2011 Favorable JU 03/28/2011 Favorable BC	Favorable Yeas 6 Nays 0

COMMITTEE MEETING EXPANDED AGENDA

Judiciary

Monday, March 28, 2011, 3:15 —5:15 p.m.

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
7	CS/SB 1300 Criminal Justice / Storms (Compare H 839, H 997)	Juvenile Civil Citations; Requires the Department of Juvenile Justice to encourage and assist in the implementation and improvement of civil citation and similar diversionary programs. Requires that a juvenile civil citation and similar diversion program be established at the local level with the concurrence of the chief judge of the circuit and other designated persons. Authorizes a law enforcement agency, the Department of Juvenile Justice, a juvenile assessment center, the county or municipality, or an entity selected by the county or municipality to operate the civil citation or similar diversion program, etc. CJ 03/22/2011 Fav/CS JU 03/28/2011 Favorable BC	Favorable Yeas 6 Nays 0
8	SB 998 Simmons (Identical CS/H 701)	Property Rights; Shortens a notice period for certain actions. Provides for the state land planning agency to receive notice of claims. Revises procedures for determining a governmental entity's final decision identifying the allowable uses for a property. Provides that enactment of a law or adoption of a regulation does not constitute applying the law or regulation. Provides for a waiver of sovereign immunity for liability. Provides for prospective application, etc. CA 03/07/2011 Favorable JU 03/28/2011 Fav/CS BC	Fav/CS Yeas 6 Nays 0
9	SB 1152 Simmons (Identical CS/H 253)	Limited Liability Companies; Provides that a charging order against a member's limited liability company interest is the sole and exclusive remedy available to enforce a judgment creditor's unsatisfied judgment against a member or member's assignee. Provides an exception for enforcing a judgment creditor's unsatisfied judgment against a judgment debtor or assignee of the judgment debtor of a single-member limited liability company under certain circumstances. Provides legislative intent. Provides for retroactive application. CM 03/16/2011 Favorable JU 03/28/2011 Favorable BI	Favorable Yeas 6 Nays 0

COMMITTEE MEETING EXPANDED AGENDA

Judiciary

Monday, March 28, 2011, 3:15 —5:15 p.m.

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
10	SJR 1664 Bogdanoff (Compare HJR 1097)	Senate Confirmation/Appointments to Supreme Court; Proposes an amendment to the State Constitution to require Senate confirmation of appointments to the office of justice of the Supreme Court. JU 03/22/2011 Not Considered JU 03/28/2011 Favorable GO RC	Favorable Yeas 4 Nays 2
11	SJR 1672 Flores (Compare HJR 7039)	Retention of Justices or Judges; Proposes amendments to the State Constitution to increase the vote required to retain a justice or judge in a judicial office and to provide for the increased vote requirement to apply beginning with retention elections during the 2012 General Election. EE RC JU 03/28/2011 Not Considered BC	Not Considered
12	SJR 1704 Hays (Compare HJR 7037)	Judicial Qualifications Commission; Proposes an amendment to the State Constitution to require that certain proceedings, records, and materials of the Judicial Qualifications Commission be open to the public and to require the commission to notify the Speaker of the House of Representatives of complaints received or initiated, investigations conducted, and complaints concluded. JU 03/28/2011 Not Considered GO RC	Not Considered
Consideration of proposed committee bill:			
13	SPB 7076	Repeal of Supreme Court Rule by General Law; Proposes an amendment to the State Constitution to eliminate the requirement that a general law repealing a rule of court be enacted by a two-thirds vote of the membership of each house of the Legislature and to prohibit the Supreme Court from readopting a rule repealed by the Legislature for a prescribed period.	Submitted as Committee Bill

Consideration of proposed committee bill:

COMMITTEE MEETING EXPANDED AGENDA

Judiciary

Monday, March 28, 2011, 3:15 —5:15 p.m.

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
14	SPB 7222	Judicial Nominating Commissions; Provides for the Attorney General, rather than the Board of Governors of The Florida Bar, to submit nominees for certain positions on judicial nominating commissions. Provides for the termination of terms of all current members of judicial nominating commissions. Provides for staggered terms of newly appointed members.	Not Considered
15	SB 978 Flores (Identical H 469)	Individual Retirement Accounts; Clarifies the exemption of inherited individual retirement accounts from legal processes. Provides intent. Provides for retroactive application. BI 03/22/2011 Favorable JU 03/28/2011 Favorable BC	Favorable Yeas 6 Nays 0
16	SM 1344 Flores (Similar HM 1047)	U.S. Treasury/Deposits by Nonresident Aliens; Urges the Congress of the United States to direct the Department of the Treasury to withdraw a proposed rule on deposits made by nonresident aliens and to examine the proposed rule for negative effects. BI 03/16/2011 Favorable JU 03/28/2011 Favorable	Favorable Yeas 6 Nays 0